

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Tether and Bitfinex Crypto Asset
Litigation

Case No. 19 Civ. 9236 (KPF)

**PLAINTIFF'S MOTION FOR LEAVE TO RE-FILE
AMENDED CONSOLIDATED CLASS ACTION COMPLAINT**

Plaintiffs hereby move for leave to re-file their Amended Consolidated Class Action Complaint. In support of his Motion, Plaintiffs state as follows.

1. On May 14, 2020, the Court issued an order designating this action as the lead action for all the consolidated actions, and provided a new caption.

2. On June 2, 2020, Plaintiffs filed a new complaint titled “Consolidated Class Action Complaint,” ECF No. [110], reflecting that it was the first the Complaint filed since interim lead counsel was appointed and various class actions were consolidated.

3. On June 3, 2020, the Clerk’s office published a notice on the docket stating that the filing was deficient because the newly filed complaint was not identified as an “amended” complaint on the PDF, and because newly named defendants were not selected as parties in ECF. The notice also indicated that the Court’s leave must be granted to re-file.

4. Plaintiffs have revised the title to reflect that it is an “Amended Consolidated Class Action Complaint.”

5. Plaintiffs ask this Court to grant leave to re-file the Amended Consolidated Class Action Complaint and accompanying exhibit.

6. Plaintiffs do not bring this motion for unnecessary delay or to burden the Court or the parties.

WHEREFORE, Plaintiffs respectfully ask this Court for leave to re-file Plaintiffs' Amended Consolidated Class Action Complaint.

Dated: June 4, 2020

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